

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:09-CR-179-MOC-DCK**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	<u>ORDER OF CONTINUING</u>
)	<u>GARNISHMENT</u>
v.)	
)	
BREAUMOND W. RHODES,)	
)	
Defendant,)	
)	
and)	
)	
KING COUNTY,)	
)	
Garnishee.)	
)	

THIS MATTER IS BEFORE THE COURT on the Government’s “Motion For Order Of Continuing Garnishment.” (Document No. 13).

Judgment in the criminal case was entered on September 26, 2006. (Document No. 1-1). As part of that Judgment, Defendant Breaumond W. Rhodes was ordered to pay an assessment of \$100.00 and restitution of \$82,993.39 to the victim of his crime. Id.

On July 3, 2024, the Court entered a Writ of Continuing Garnishment (“Writ”) (Document No. 9) as to Garnishee, King County. (Document No. 9). Defendant was served with the Writ and Instructions notifying him of his right to request a hearing on or about July 13, 2024. (Document No. 11). Garnishee was served with the Writ and Instructions on or about July 15, 2024. Id. Garnishee filed an Answer on August 5, 2024, stating that at the time of service of the Writ, Garnishee had in its custody, control, or possession property or funds owned by Defendant, including nonexempt, disposable earnings. (Document No. 12). Garnishee indicated that it served

the Answer on Defendant on July 23, 2024. Id. Defendant did not request a hearing, and the statutory time to do so has elapsed.

IT IS, THEREFORE, ORDERED that an Order of Continuing Garnishment is hereby **ENTERED** in the amount of \$81,643.39 computed through July 2, 2024. Garnishee shall pay the United States up to the lesser of:

1. twenty-five percent (25%) of Defendant's disposable earnings which remain after all deductions required by law have been withheld, or
2. the amount by which Defendant's disposable earnings for each week exceed thirty (30) times the federal minimum wage.

See 15 U.S.C. § 1673(a). Garnishee shall continue payments until the debt to the United States is paid in full; until Garnishee no longer has custody, possession, or control of any property belonging to Defendant; or until further Order of this Court.

Payments should be made payable to the United States Clerk of Court and mailed to:

CLERK OF THE UNITED STATES DISTRICT COURT
ATTN: FINANCE DEPARTMENT
401 WEST TRADE STREET
CHARLOTTE, NORTH CAROLINA 28202

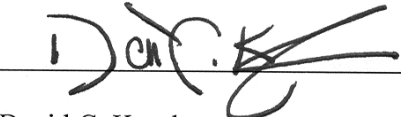
To ensure that each payment is credited properly, the following should be included on each check:
Defendant's Name Breaumond W. Rhodes and Case Number DNCW3:09CR179.

IT IS FURTHER ORDERED that Garnishee shall advise this Court if Defendant's employment is terminated at any time by Garnishee or Defendant.

IT IS FURTHER ORDERED that the United States shall submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment Defendant would normally receive may be offset and applied to this debt.

SO ORDERED.

Signed: September 3, 2024



David C. Keesler
United States Magistrate Judge

